

SUPERIOR COURT OF ARIZONA
MARICOPA COUNTY

FC 2010-090688

07/13/2010

JUDGE PRO TEM KEN SKIFF
FOR COMMISSIONER ALYSSON H. ABE

CLERK OF THE COURT
L. Hart
Deputy

IV-D ATLAS NO. 000621092701
STATE OF ARIZONA, EX REL, DES
MICHAEL HARDAWAY

MICHAEL HARDAWAY
1233 N MESA DR APT 2153
MESA AZ 85201

AND

ROSE B RODNEY

ROSE B RODNEY
7914 E. MCKINLEY STREET, #4
SCOTTSDALE AZ 85257

AG-CHILD SUPPORT-EAST VALLEY
OFFICE
FAMILY COURT SERVICES-CCC
JUDGE ABRAMS
JUDGE COHEN

IV-D ESTABLISHMENT HEARING – JUDGMENT ENTERED

Courtroom: 404 SEF

3:43 p.m. This is the time set for Establishment Hearing pursuant to the State's *Motion to Transfer Child Support Issues to IV-D Commissioner* filed on March 29, 2010, pursuant to Father's pro per *Petition to Establish Child Custody, Parenting Time, and Child Support* filed on February 29, 2010. The Petitioner/Father, Michael Hardaway (hereinafter referred to as "Father"), is not present nor represented by counsel. The Respondent/Mother, Rose Rodney (hereinafter referred to as "Mother"), is present on her own behalf. The State is represented by Assistant Attorney General, Kathie A. Pearson.

A record of the proceedings is made by audio and/or videotape in lieu of a court reporter.

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Prior to commencement of proceedings, Michael Hardaway and Rose Rodney are sworn.

LET THE RECORD REFLECT that the parties met informally with the Attorney General's Office prior to the commencement of today's hearing.

Counsel for the State advises the Court of the State's position and recommendations. The Court is advised that based upon agreement of the parties at their Early Resolution Conference held on June 28, 2010, Judge Cohen signed the parties' *Consent Judgment and Order for Paternity, Child Custody, and Child Support* on June 28, 2010. However, Judge Abrams' minute entry of April 15, 2010 referred the issue of child support to the IV-D Commissioner and Judge Abrams signed the *Order to Transfer Child Support Issues to the IV-D Commissioner* on April 16, 2010.

Counsel for the State advises the Court that the State has no objection to that portion of the Judgment and Order as it pertains to paternity and child custody; however, the State objects to that portion of the order as it pertains to child support because the State is a party to this case and the State was not allowed to participate in calculating Father's child support obligation.

Therefore, counsel for the State requests that the Child Support Order signed by the Court on June 28, 2010 be set aside because the State was not involved in that proceeding and the State did not agree to stipulate to that child support order. The Court is advised that Father agrees to set aside the Child Support Order as long as his new child support obligation will be effective August 1, 2010. Mother has no objection.

Discussion is held regarding Father's parenting time.

Based upon the matters presented herein,

THE COURT FINDS that the State of Arizona properly exercised personal jurisdiction over the Respondent and the Respondent was served in Arizona.

IT IS ORDERED granting Judgment in favor of Mother and against Father for past child support in the amount of **\$1,451.00** for the time period of February 1, 2010 through July 31, 2010 calculated by retroactive application of the Arizona Child Support Guidelines pursuant to A.R.S. §25-501 and/or 25-809. Said Judgment earns interest at the legal rate until it is paid in full.

IT IS FURTHER ORDERED that Father shall pay to Mother as and for child support the sum of \$161.00 per month, plus \$10.00 per month in child support arrears, plus \$5.00 per month

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Clearinghouse fee for a total of **\$176.00**, payable through the Support Payment Clearinghouse on the 1st day of each month commencing August 1, 2010 by Order of Assignment.

LET THE RECORD REFLECT an Order of Assignment is initiated electronically by the above-named deputy clerk.

Until the wage assignment becomes effective, it is the responsibility of the party obligated to pay support/maintenance to pay the support to the following:

**Support Payment Clearinghouse
P. O. Box 52107
Phoenix, Arizona 85072-2107**

Payment should show the case number and/or ATLAS case number, the name of the party paying support, and the name of the party who will receive the payment.

WARNING: If payments are made directly to the person who is to receive the support, the payments may be considered a gift and no credit will be given towards the support obligation.

Any change in the paying party's employment and any change in the residential address of either party **must** be submitted to the Clerk's Office, in writing, within ten (10) days of the change (A.R.S. 25-322(C)). Failure to notify the Clerk's Office of any change may be considered contempt of Court.

IT IS ORDERED Father shall claim the tax exemption for the minor child two out of every three years beginning 2010, 2011, etc. Mother shall claim the tax exemption for the minor child one out of every three years beginning 2012, etc. **Father may claim the tax exemption provided that Father is current in his child support obligation by December 31st of the applicable year.**

Father has private medical insurance that is accessible to the child and available at a reasonable cost, which shall continue until further order of the Court. If, at any time, private medical insurance stops, Father is ordered to pay zero dollars per month for cash medical support beginning upon the first day of the month following notice by either party or the employer to the Court or to DESE that insurance has been discontinued.

IT IS FURTHER ORDERED that responsibility for non-covered medical expenses shall be assigned 40% to Mother and 60% to Father.

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The Court's further findings and orders are as contained in the formal written Judgment and Order signed by the Court.

FILED: Establishment Judgment and Order; Current Employer Information, Child Support Guideline Worksheet (4)

4:09 p.m. Matter concludes.

All parties representing themselves must keep the Court updated with address changes. A form may be downloaded at: <http://www.superiorcourt.maricopa.gov/SuperiorCourt/Self-ServiceCenter/index.asp>

**PLEASE NOTE: IMPORTANT INFORMATION RE: CD/VIDEOTAPE
FEE CURRENTLY IN EFFECT**

This Courtroom uses an electronic recording system for the record. All CDs and videotapes will be provided by the Court, regardless of when the copies are made. A fee of \$20.00 will apply to all copies requested, either on the day of the hearing or for hearings recorded on an earlier date. Forms to request a recording of a proceeding are available in the Self-Service Centers and in the JAVS and FTR courtrooms.

If a party wants a court reporter to record a proceeding in this Court, a written request must be filed at least seven (7) days before the commencement of the proceedings.

A person requesting a daily copy CD or videotape must complete the appropriate request form and pay the applicable fee at the Self-Service Center. Upon payment of the appropriate fees through the Self-Service Center, a receipt will be issued which shall then be presented to Court staff for preparation of the CD or videotape in the customary manner.

A person wanting a copy of a hearing from a previous occasion must contact Ken Crenshaw at 602-506-7100.